

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE: JOSE VILLAVICENCIO : CASE NO. 15-54279
: CHAPTER 13
DEBTOR : JUDGE JOHN E. HOFFMAN JR.

**TRUSTEE'S MOTION TO DISMISS (FAILURE TO FILE PURSUANT TO
BANKRUPTCY RULE 1007)**

LR 9013-1 NOTICE - THE CHAPTER 13 TRUSTEE HAS FILED PAPERS WITH THE COURT TO DISMISS THIS CASE. YOUR RIGHTS MAY BE AFFECTED. YOU SHOULD READ THESE PAPERS CAREFULLY AND DISCUSS THEM WITH YOUR ATTORNEY, IF YOU HAVE ONE IN THIS BANKRUPTCY CASE. IF YOU DO NOT HAVE AN ATTORNEY, YOU MAY WISH TO CONSULT ONE. IF YOU DO NOT WANT THE COURT TO GRANT RELIEF SOUGHT IN THIS MOTION, THEN ON OR BEFORE TWENTY-ONE (21) DAYS FROM THE DATE SET FORTH IN THE CERTIFICATE OF SERVICE FOR THE MOTION, YOU MUST FILE WITH THE COURT AT 170 NORTH HIGH STREET, COLUMBUS, OHIO 43215 OR VIA ECF A RESPONSE EXPLAINING YOUR POSITION. IF YOU OR YOUR ATTORNEY DO NOT TAKE THESE STEPS, THE COURT MAY DECIDE THAT YOU DO NOT OPPOSE THE RELIEF SOUGHT IN THE MOTION AND MAY ENTER THE ORDER GRANTING RELIEF WITHOUT FURTHER NOTICE OR HEARING. A TIMELY RESPONSE IS REQUIRED. YOU SHOULD SERVE YOUR RESPONSE AS REQUIRED BY LR 9013-1.

IF A RESPONSE IS FILED WITHIN THE TIME PROVIDED ABOVE, THEN A HEARING WILL BE HELD ON 8/18/2015 AT 3:00 pm, AT U.S. BANKRUPTCY COURT BUILDING, 170 NORTH HIGH STREET, COLUMBUS, OH 43215, COURTROOM A. IF NO RESPONSE IS FILED WITHIN THE TIME PROVIDED, THEN NO HEARING WILL BE HELD.

Now comes Faye D. English, Standing Chapter 13 Trustee herein, and moves this Court to dismiss this case pursuant to 11 U.S.C. §§1307(c), 521(b) and/or 109(h) for the reasons set forth below:

X Debtor(s) failed to file schedules and/or a plan within fourteen (14) days of the petition

date, in violation of Fed. R. Bankr. P. 1007(c) and 3015(b)

Wherefore, the Trustee requests that an order be entered dismissing this case, granting the Trustee leave to file her Final Report, and discharging the Trustee from her trust.

Dated: 7/16/2015

Respectfully submitted,

/s/ Faye D. English

Faye D. English
Chapter 13 Trustee
One Columbus
10 West Broad St., Suite 900
Columbus, OH 43215-3449
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Trustee'S Motion To Dismiss (Failure To File Pursuant To Bankruptcy Rule 1007) was served electronically on the office of the United States Trustee and Debtor(s)' attorney and sent to all parties via regular first class mail, postage prepaid as listed below on the matrix on file with the Bankruptcy Clerk's Office as shown below at the time this document was electronically filed with the Clerk on 07/16/2015

SERVE ALL PARTIES.

/s/ Faye D. English

Electronically signed by
Faye D. English, Chapter 13 Trustee